IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 2ND NOVEMBER 2007 / 11TH KARTHIKA 1929

WP(C).No. 24927 of 2005(P)

PETITIONER:

VASANTHI SOMASEKHARAN,
IKKANDAMPARAMBIL, EDATHURUTHY P.O.,
KODUNGALLUR TALUK, THRISSUR DISTRICT.

BY ADV. SRI.P.V.ANILKUMAR
SRI.E.D.GEORGE
SUMITHRADEVI M.R.
SMT.PRASEEDHA.K.DAS

RESPONDENTS:
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1. THE SECRETARY,
NATTIKA FURKA HOUSING CO-OPERATIVE SOCIETY,
EDAMATTOM.

2. SENIOR INSPECTOR-CUM-ARBITRATOR OF
CO-OPERATIVE SOCIETY, SPECIAL SALE OFFICER,
KALOOR, ERNAKULAM, KOCHI-12.

BY ADV. SRI.K.N.CHANDRABABU, SC.
GOVT. PLEADER SMT.ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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W.P.(C).No. 24927 OF 2005

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Dated this the 2nd day of November, 2007

JUDGMENT

Petitioner availed a loan. According to the petitioner even though loan was for Rs. 1,75000/, she received only Rs. 1,58,000/- . Petitioner would further contend that she repaid Rs. 51,586/-. It is her case that without considering the same, proceedings were initiated and an award is obtained. According to the petitioner, she was served with sale notice. Learned counsel for the respondent society submits that in fact even though sale was held, the purchaser backtracked. It is submitted by him that the society is amenable to the amount being cleared by the petitioner in 10 equal monthly instalments

2. I heard learned counsel for the petitioner and the learned counsel for the respondents also.

The writ petition is disposed of permitting the petitioner to pay off the entire amount remaining to be paid with due interest in ten equal monthly instalments, the first of which shall be payable on or before 05/12/2007. Petitioner is to pay the succeeding instalments on or before the 5th of every succeeding months. The 1st respondent will serve a statement on the petitioner showing amount remaining to be

paid and also the amount of instalments to be paid on the basis that the amount is to be paid in 10 equal monthly instalments, within two weeks from today. If the petitioner does not pay any of the instalments as aforesaid, it is open to the 1st respondent to proceed against the petitioner in accordance with law.

(K.M.JOSEPH, JUDGE)

sv.

(K.M.JOSEPH, JUDGE)

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